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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/734,481

Applicant(s)

CHANG, WILLIAM HO

Examiner

JOSHUA JOO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-8508)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
- Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

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Detailed Action

1. This Office action is in response to communication dated 12/12/2003.

Claims 1-38 are presented for examination.

2. Drawings dated 12/12/2003 are accepted.

Oath or Declaration dated 12/12/2003 is accepted.

Double Patenting

3. The nonstatutory double patenting rejection is based on a judicially created doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the unjustified or improper timewise extension of the "right to exclude" granted by a patent and to prevent possible harassment by multiple assignees. A nonstatutory obviousness-type double patenting rejection is appropriate where the conflicting claims are not identical, but at least one examined application claim is not patentably distinct from the reference claim(s) because the examined application claim is either anticipated by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140 F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29 USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir. 1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422 F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163 USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d) may be used to overcome an actual or provisional rejection based on a nonstatutory double patenting ground provided the conflicting application or patent either is shown to be commonly owned with this application, or claims an invention made as a result of activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with 37 CFR 3.73(b).

4. Claims 1 and 19 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1 and 19 of copending Application No. 10/734484 ("484 application hereinafter) in view of Kouperchliak et al. US Publication #2003/0046447.

Instant Application Claim 1	Copending Application: 10/734484 Claim 1
<u>A wireless data output communication, comprising: a device interface connectable to an external interface of a first computing device with a</u>	<u>connecting a wireless data output communication device to an external interface of a first computing device with a data output service;</u>

<u>data output service;</u> <u>a memory component storing autorun software and a computer software application, the autorun software being operable to install and execute the computer software application on the first computing device automatically upon connection of the device interface to the external interface of the first computing device, the computer software application providing access to the data output service of the first computing device;</u>	<u>installing and executing on the first computing device a computer software application from a memory component of the communication device, the computer software application providing access to the data output service of the first computing device for a second computing device via wireless communication;</u>
<u>a wireless communication component for providing wireless communication between the communication device and a second computing device having wireless communication capability and data content to be outputted with the data output service, the wireless communication component being operable to receive the data content from the second computing device via wireless communication and to deliver the data content to the computer software application on the first computing device, wherein the computer software application delivers the data content to the data output service to obtain output of the data content.</u>	<u>transmitting by wireless communication data content from a second computing device to the communication device; passing the data content from the communication device to the first computing device; and passing the data content from first computing device to the data output service associated with the first computing device.</u>

5. Claim 1 of the '484 application does not explicitly comprise features of an autorun software being operable to install the software application automatically upon connection of the device interface to the external interface of the first computing device; a wireless communication component for providing wireless communication between the communication device and a second computing device; and a second computing device having wireless communication capability.

6. Firstly, the '484 application discloses of a communication device receiving wireless communication data from the second computing device. The wireless communication component and the second computing device comprising wireless communication capability are essential features for wireless communication between the communication device and second computing device.

7. Secondly, Kouperchliak teaches of a device comprising of autorun software being operable to install and execute computer software application on a computing device automatically upon connection

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of the device interface to the external interface of the computing device (Abstract. Paragraph 0036; 0041-0042). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the communication device to comprise an autorun software being operable to install and execute the computer software application on a computing device automatically upon connection of the device interface to the external interface of the first computing device, which would provide the communication device and the computer with the proper software to allow interaction between the device and the computer. Furthermore, Kouperchliak's teachings would allow efficient installation of software without user intervention.

Instant Application Claim 19	Copending Application: 10/734484 Claim 19
A wireless data output communication device, comprising: a device interface <u>connectable to an external interface of a first computing device with a data output service;</u>	<u>transmitting by wireless communication data content from a first computing device to a wireless data output communication device;</u>
a memory component storing a computer software application and including storage capacity for storing data content, the computer software application being operable to provide access to the data output service of the first computing device;	<u>storing the data content in a memory component of the communication device; connecting the communication device to an external interface of a second computing device with a data output service;</u>
a wireless communication component for providing wireless communication between the communication device and a second computing device having wireless communication capability and data content to be outputted with the data output service, the wireless communication component <u>being operable to receive the data content from the second computing device via wireless communication and to store the data content in the memory component</u>	<u>installing and executing on the second computing device a computer software application from the memory component, the computer software application providing access to the data output service of the first computing device;</u>
wherein the computer software application is installable and executable on the first computing device upon the device interface being connected to the external interface of the first computing device, the data content then being deliverable to the data output service via the computer software application to obtain output of the data content,	<u>passing the data content from the communication device to the computer software application on the second computing device; and passing the data content from computer software application to the data output service of the second computing device.</u>

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8. Claim 19 of the '484 application does not specifically comprise features of a device interface; a wireless communication component for providing wireless communication between the communication device and a second computing device having wireless communication capability; and installing software application upon the device interface being connected to the external interface of the first computing device.

9. Firstly, the '484 application discloses of a communication device receiving wireless communication data from a computing device. The features of the wireless communication component and the computing device comprising wireless communication capability are essential for wireless communication between the communication and the computing device. The device interface is also an essential component for the communication device since the device connects to the external interface of another computing device.

10. Secondly, Kouperchliak teaches of a device comprising of autorun software being operable to install and execute the computer software application on a computing device automatically upon connection of the device interface to the external interface of the computing device (Abstract. Paragraph 0036; 0041-0042). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings to install and execute the computer software application on a computing device automatically upon connection of the device interface to the external interface of the first computing device, which would provide the communication device and the computer with the proper software to allow interaction between the device and the computer. Furthermore, Kouperchliak's teachings would allow efficient installation of software without user intervention.

This is a provisional obviousness-type double patenting rejection.

Claim Rejections - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 1, 5, 9, 11-12, 14-17, 19-20, 24, 27, 29-30, 32-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agam et al. US Publication #2003/0087601, in view of Kouperchliak et al. US Publication #2003/0046447 (Kouperchliak hereinafter).

13. As per claim 1, Agam teaches substantially the invention as claimed including a wireless data output communication device, comprising:

a device interface connectable to an external interface of a first computing device with a data output service (Paragraphs 0046; 0059. WPC token comprises wired interface and is connected to a computer. fig. 1. Monitor connected to the computer.);

a wireless communication component for providing wireless communication between the communication device and a second computing device having wireless communication capability (Paragraph 0018. WPC token comprises a wireless interface for enabling communication with a personal device.) and data content to be outputted with the data output service (Paragraph 0018. WPC token communicates data to the computer.), the wireless communication component being operable to receive the data content from the second computing device via wireless communication and to deliver the data content to the computer software application on the first computing device (Paragraphs 0023; 0046. WPC token enables communication between the personal device and host computer. Paragraph 0051. Address book on computer can be replicated with address book on the personal device. Paragraph 0050. Computer comprises program to receive data from wired interface.),

wherein the computer software application delivers the data content to the data output service to obtain output of the data content (fig. 1. Host computer comprises monitor. Paragraph 0077. Use the computer to interact with database and edit information. It is inherent that data received from the personal device is displayed on the monitor, such as the address book.).

14. Agam teaches of a computer software application providing access to the data output service of the first computing service (Paragraphs 0050; 0077. Computer comprises program to receive data from wired interface. Fig. 1. Host computer comprises monitor.). Agam does not specifically teach of a memory component storing autorun software and a computer software application, the autorun software being operable to install and execute the computer software application on the first computing device automatically upon connection of the device interface to the external interface of the first computing device.

15. Kouperchliak teaches of an apparatus comprising of a memory component storing autorun software and a computer software application, the autorun software being operable to install and execute the computer software application on the first computing device automatically upon connection of the device interface to the external interface of the first computing device (Abstract. Software permits interaction between device and computer. Paragraph 0036; 0041-0042. Device comprises auto play feature. When the device is plugged, auto play application loads and installs software.).

16. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the communication device as taught by Agam to comprise a memory component storing autorun software and a computer software application, the autorun software being operable to install and execute the computer software application on the first computing device automatically upon connection of the device interface to the external interface of the first computing device. The motivation for the suggested combination is that Kouperchliak's teachings would improve Agam's system by providing the communication device and the computer with proper software to allow

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interaction between the device and the computer. Furthermore, Kouperchliak's teachings would allow efficient installation of software that allows interaction between devices without user intervention.

17. As per claim 19, Agam teaches substantially the invention as claimed including a wireless data output communication device, comprising:

a device interface connectable to an external interface of a first computing device with a data output service (Paragraphs 0046; 0059. WPC token (apparatus) comprises wired interface and is connected to a computer. fig. 1. Monitor connected to the computer.);

a memory component including storage capacity for storing data content (Paragraph 0018. WPC token stores data.); and

a wireless communication component for providing wireless communication between the communication device and a second computing device having wireless communication capability and data content to be outputted with the data output service (Paragraphs 0018; 0046. WPC token comprises a wireless interface for enabling communication between computer and personal device. Paragraph 0077. Use the computer to interact with database and edit information.), the wireless communication component being operable to receive the data content from the second computing device via wireless communication (Paragraphs 0046. Communicate data between the personal device and host computer. Paragraph 0051. Address book on computer can be replicated with address book on the personal device. It is inherent that data received from the personal device is displayed on the monitor.), and to store the data content in the memory component (It is inherent that data received from the personal device is temporarily stored at the WPC token while transferring data to the computer.).

the data content then being deliverable to the data output service via the computer software application to obtain output of the data content (Paragraphs 0046. Communicate data between the

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personal device and host computer. Paragraph 0050. Agent communicates with wired interface.

Paragraph 0077. Use the computer to interact with database and edit information.).

18. Agam teaches of a computer software application providing access to the data output service of the first computing service (Paragraphs 0050; 0077. Computer comprises program to receive data from wired interface. Fig. 1. Host computer comprises monitor.). Agam does not specifically teach of the memory component storing the computer software application; wherein the computer software application is installable and executable on the first computing device upon the device interface being connected to the external interface of the first computing device.

19. Kouperchliak teaches of an apparatus comprising of a memory component storing a computer software application being operable to provide access to the data output service of the first computing device; wherein the computer software application is installable and executable on the first computing device upon the device interface being connected to the external interface of the first computing device (Abstract. Software permits interaction between device and computer. Paragraph 0036; 0041-0042. Device comprises auto play feature. When the device is plugged, auto play application loads and installs software.).

20. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the communication device as taught by Agam to comprise a memory component storing a computer software application being operable to provide access to the data output service of the first computing device; wherein the computer software application is installable and executable on the first computing device upon the device interface being connected to the external interface of the first computing device. The motivation for the suggested combination is that Kouperchliak's teachings would improve Agam's system by providing the communication device and the computer with the proper software to allow interaction between the device and the computer.

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Furthermore, Kouperchliak's teachings would allow efficient installation of software that allows interaction between devices without user intervention.

21. As per claims 5 and 24, Agam teaches the invention of claims 1 and 19 further comprising a controller to control operation of the wireless communication component (Paragraph 0059. Token comprises a microcontroller to perform functionality.).

22. As per claims 9 and 27, Agam teaches the invention of claims 1 and 19 in which the device interface corresponds to a universal serial bus interface (Paragraph 0059. USB interface.).

23. As per claims 11 and 29, Agam teaches the invention of claims 1 and 19 in which the wireless communication corresponds to a Bluetooth standard of wireless communication (Paragraphs 0038; 0041. Bluetooth.).

24. As per claim 12, Agam teaches the communication device of claim 1 in which the wireless communication corresponds to one of a IEEE802.11 a, IEEE802.11b, IEEE802.11g, IEEE802.11f, IEEE802.15, or IEEE802.17 standard of wireless communication (Paragraphs 0038; 0041. Bluetooth protocol. IEEE802.15 is the standard of Bluetooth specification.).

25. As per claims 14 and 32, Agam teaches the invention of claims 1 and 19 in which the data output service includes displaying the data content with a selected application resident on the first computing device (fig. 1. Monitor connected to the computer. Paragraph 0077. Use the computer to interact with database and edit information. It is inherent that the monitor displays data received from the apparatus.).

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26. As per claims 15 and 33, Agam teaches the invention of claims 1 and 19, in which the device is configured as a dongle (fig. 1; Paragraph 0059. USB device. Device enables use of programming to communicate with personal device.).

27. As per claims 16 and 34, Agam teaches the invention of claims 1 and 19 in which the second computing device includes a wireless cellular telephone (Paragraph 0001. Personal device, e.g. mobile telephone.).

28. As per claims 17 and 35, Agam teaches the invention of claims 1 and 19 in which the second computing device includes a portable computer (Paragraph 0001. Personal device, e.g. PDA).

29. As per claim 20, Agam does not specifically teach the communication device of claim 19 in which the memory component further stores autorun software that is operable to install and execute the computer software application on the first computing device automatically upon connection of the device interface to the external interface of the first computing device.

30. Kouperchliak teaches of an apparatus comprising of a memory component storing autorun software that is operable to install and execute a computer software application on a computing device automatically upon connection of the device interface to the external interface of the first computing device (Abstract. Software permits interaction between device and computer. Paragraph 0036; 0041-0042. Device comprises auto play feature. When the device is plugged, auto play application loads and installs software.).

31. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the device as taught by Agam to comprise a memory component storing autorun software that is operable to install and execute the computer software application on the first

computing device automatically upon connection of the device interface to the external interface of the first computing device. The motivation for the suggested combination is that Kouperchliak's teachings would improve Agam's system by providing proper software to the computer to allow interaction between the device and the computer and providing installing without user intervention.

32. As per claim 30, Agam teaches the communication device of claim 19 in which the wireless communication does not correspond to a Bluetooth standard of wireless communication (Paragraph 0038, IrDA, ISO 14443).

33. Claims 2-3, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agam and Kouperchliak, in view of Iida et al. US Patent #6,772,233 (Iida hereinafter) and McKee, US Publication #2003/0084256 (McKee hereinafter).

34. As per claims 2 and 22, Agam and Kouperchliak teach of the invention of claims 1 and 19, in which the memory component includes a program memory segment and a file storage segment (Paragraph 0059. Executes program. Paragraph 0018. Stores data.), and the program memory segment storing the computer software application (Paragraph 0036; 0041-0042. Apparatus loads and installs software.). Agam and Kouperchliak do not specifically teach the file storage segment being accessible by the second computing device to store data content, and the program memory segment not being accessible by the second computing device.

35. Iida teaches of a communication device comprising a file storage segment accessible by a computing device to store data content (col. 8, lines 2-6, 10-19, 51-56; col. 9, lines 8-13).

36. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the communication device as taught by Agam and Kouperchliak to comprise a file storage segment accessible by a computing device to store data content. The motivation for the

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suggested combination is that Iida's teachings would improve the suggested system by allowing a user to conveniently receive information from a network, and store data independent of a computer (col. 2, lines 30-37; col. 8, lines 54-58).

37. Agam, Kouperchliak, and Iida do not specifically teach of the program memory segment not being accessible by the second computing device.

38. McKee teaches of an application program storing data in a private memory region that is inaccessible to other applications (Paragraph 0010).

39. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the program memory not being accessible by another application including an application of the second computing device. The motivation for the suggested combination is that McKee's teachings would improve the suggested system by providing memory security for the communication device and allowing privileged access to memory regions.

40. As per claims 3 and 23, Agam teaches the invention of claims 2 and 22 in which the program memory segment includes a memory section in which is stored code for operating the wireless communication component (Paragraph 0059. Executes program. Paragraph 0018. Stores data.). Agam does not specifically teach that the memory segment includes a further includes a first memory section in which is stored the computer software application.

41. Kouperchliak teaches of an apparatus comprising of a memory component storing a computer software application (Paragraph 0036; 0041-0042. Apparatus loads and installs software.).

42. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the communication device as taught by Agam to include a memory section in which the computer software application is stored. The motivation for suggested combination is that

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Kouperchliak's teachings would provide the proper software to the computer to allow interaction between the device and the computer.

43. Claims 4 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agam and Kouperchliak, in view of Kusada et al. US Publication #2002/0083430 (Kusada hereinafter).

44. As per claims 4 and 21, Agam and Kouperchliak do not specifically teach the invention of claims 1 and 21, in which one of the autorun software and the computer software application is further operable to uninstall the computer software application from the first computing device automatically upon disconnection of the device interface from the external interface of the first computing device.

45. Kusada teaches of software to automatically install computer software on a computer upon connection of a device and software to automatically uninstall the computer software from the computer upon disconnection from the device (Paragraphs 0009; 0093-0094).

46. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the computer software application as taught by Agam and Kouperchliak to comprise software to automatically uninstall software application from the computer upon disconnection from the device as taught by Kusada. The motivation for the suggested combination is that Kusada's teachings would allow removal of unused software without user action, which would increase memory space for the computing device.

47. Claims 6-8, 25-26, and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agam and Kouperchliak, in view of Iida.

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48. As per claims 6 and 25, Agam does not specifically teach the invention of claims 1 and 19 further comprising a user-operable external switch to provide user control of an operation of the communication device.

49. Iida teaches of a storage device comprising of a battery and operating without connection to a computing device (col. 8, lines 2-6, 10-19, 51-56).

50. Although Iida does not specifically teach of a user-operate external switch, it would have been obvious to one of ordinary skill in the art to combine and modify the teachings for the communication device to comprise a battery as taught by Iida and to provide a user-operable external switch such as a power on/off switch, which would allow the communication device to operate independent of the computing device and allow the user to save power on the communication device when the user does not use the communication device.

51. As per claims 7 and 26, Agam does not specifically teach the invention of claims 1 and 25 further comprising a battery for powering the communication device without connection to the first computing device so that the communication device is operable to receive data content via wireless communication and to store the data content in the memory component.

52. Iida teaches of a communication device comprising a battery for powering the communication device without connection to a computing device so that the communication device is operable to receive data content via wireless communication and to store the data content in the memory component (col. 8, lines 2-6, 10-19, 51-56).

53. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the communication device as taught by Agam to comprise a battery for powering the communication device without connection to a computing device so that the communication

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device is operable to receive data content via wireless communication and to store the data content in the memory component. The motivation for the suggested combination is that Iida's teachings would improve the suggested system by allowing the communication device to operate independently of the computer and allowing a user to conveniently receive information (col. 2, lines 30-37).

54. As per claim 8, Agam does not specifically teach the communication device of claim 7 further comprising a user-operable external switch to provide user control of operation of the communication device without connection to the first computing device.

55. Iida teaches of a storage device comprising of a battery and operating without connection to a computing device (col. 8, lines 2-6, 10-19, 51-56).

56. Although Iida does not specifically teach of a user-operate external switch, it would have been obvious to one of ordinary skill in the art to combine and modify the teachings to provide a user-operable external switch such as a power on/off switch, which would allow the user to save power on the communication device when the user does not use the communication device.

57. As per claim 37, Agam does not specifically teach the communication device of claim 19 further comprising a battery to provide battery-powered operation of the communication device.

58. Iida teaches of a communication device comprising a battery for powering the communication device so that the communication device is operable to receive data content via wireless communication (col. 8, lines 2-6, 10-19, 51-56).

59. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the communication device as taught by Agam to comprise a battery for powering the communication device so that the communication device is operable to receive data content

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via wireless communication. The motivation for the suggested combination is that Iida's teachings would improve the suggested system by allowing the communication device to operate independently of the computer and allowing a user to conveniently receive information (col. 2, lines 30-37).

60. Claims 10 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agam and Kouperchliak, in view of Fisher et al. US Publication #2004/0095382 (Fisher hereinafter).

61. As per claim 10, Agam does not specifically teach the communication device of claim 1 in which the device interface corresponds to one of a Firewire format, a Compact Flash format, and a Secure Digital format.

62. Fisher teaches of a portable memory device that connects to a computer, wherein an interface of the device may correspond to a Firewire format (Paragraphs 0024; 0038).

63. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the device interface as taught by Agam to correspond to a Firewire format as taught by Fisher. The motivation for the suggested combination is that Fisher's teachings would improve the suggested system by providing an interface that is an industry standard, thus well known and accepted. Furthermore, alternative/additional interfaces would provide a suitable interface to allow the device to connect to the computer.

64. As per claim 28, Agam and Kouperchliak teach of communication device of claim 27 comprising a device interface corresponding to a wired communication protocol. Agam does not specifically teach that the device interface does not correspond to a universal serial bus interface.

65. Fisher teaches of a portable memory device that connects to a computer, wherein an interface of the device may correspond to a Firewire format (Paragraphs 0024; 0038).

66. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the device interface as taught by Agam to correspond to a Firewire format as taught by Fisher. The motivation for the suggested combination is that Fisher's teachings would improve the suggested system by providing an interface that is an industry standard, thus well known and accepted. Furthermore, alternative/additional interfaces would provide a suitable interface to allow the device to connect to the computer.

67. Claims 13, 31, and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agam and Kouperchliak, in view of Motoyama, US Patent #7,136,914 (Motoyama hereinafter).

68. As per claim 13, 31 and 38, Agam does not specifically teach the invention of claims 1 and 19 in which the data output service includes printing the data content to one or more printers associated with the first computing device.

69. Motoyama teaches of a system for connecting devices wirelessly, wherein a computer may output data to one or more printers (col. 3, lines 62-65; col. 4, line 64-col. 5, line 4).

70. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings for the data output service to include printing data content to one or more printers associated with computer. The motivation for the suggested combination is that Motoyama's teachings would allow a user to print texts and images on a printing medium.

71. Claims 18 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Agam and Kouperchliak, in view of "Official Notice".

72. As per claims 18 and 36, Agam and Kouperchliak teach of the invention of claims 1 and 36. Agam further teaches that the second computing device includes personal devices such as mobile hand-

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held devices (Paragraphs 0001-0002) but does not specifically teach that the second computing device includes a digital camera.

However, "Official Notice" is taken by the Examiner in that a digital camera as a personal device is well known in the art. It would have been obvious to one of ordinary skill in the art to include a digital camera as personal device, which would increase the practical application of the system by allowing other types of devices commonly owned and used by users to communicate with the computer.

Conclusion

73. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action.

74. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Joo whose telephone number is 571 272-3966. The examiner can normally be reached on Monday to Thursday 8AM to 5PM and every other Friday.

75. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan J. Flynn can be reached on 571 272-1915. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

76. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/J. J./

Examiner, Art Unit 2154

/Nathan J. Flynn/

Supervisory Patent Examiner, Art Unit 2154